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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,184

08/31/2004

Janet Elise Hopkins

5183

7590

05/18/2006

Silver Lining Multimedia, Inc.  
P.O. Box 544  
Peterborough, NH 03458

EXAMINER

KAYES, SEAN PHILLIP

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/711,184	Applicant(s) HOPKINS, JANET ELISE	
	Examiner Sean Kayes	Art Unit 2841	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/31/2004, initial filling.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/31/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-8, and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown (US 20050254351.)
3. With respect to claim 1 Brown discloses a device for teaching the reading of an analog timepiece comprising, a) an analog clock face (12 figure 1) having two separate numerical scales (numerals "1-12" and numerals "1-60" figure 1) circumferentially and concentrically disposed thereon in spaced relationship to represent segments of time corresponding to the face of an analog clock; b) an hour hand (16 figure 5) having a shaft (figure 4) with two opposite ends; one end of said shaft being pivotally mounted and substantially centrally disposed proximate to the analog clock face; the other end of said shaft having a shape attached; said shape being positioned such that when said shaft is set in a typical hour hand position, the correct hour numeral is within the boundaries of said shape (figure 1 the hour numeral "6" is in the boundary of the indicator shape); c) a minute hand (14 figure 5) having a shaft (figure 4) with two

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opposite ends; one end of said shaft being pivotally mounted and substantially centrally on the analog clock face; the other end of said shaft having a shape (figure 1) attached; said shape being positioned such that when said shaft is set in a typical minute hand position, the correct minute numeral is within the boundaries of said shape (numeral "60" is within the boundaries of the shape, figure 1.)

4. With respect to claim 2 Brown discloses the device of claim 1 wherein said hour hand has a transparent closed-shaped tip (the hour hand, 16 figure 5, has a closed shaped tip and is transparent.)

5. With respect to claim 3 Brown discloses the device of claim 1 wherein said minute hand has a transparent closed-shaped tip (the minute hand, 14 figure 5, has a closed shaped tip and is transparent.)

6. With respect to claim 6 Brown discloses a device for teaching the reading of an analog timepiece comprising, a) an analog clock face (12 figure 1) having two separate numerical scales (numerals "1-12" figure 1 and numerals "1-60" figure 1) circumferentially and concentrically disposed thereon in spaced relationship to represent segments of time corresponding to the face of an analog clock; b) an hour hand (16 figure 5) having a shaft with two opposite ends; one end of said shaft being able to be manually positioned substantially centrally disposed proximate to the analog clock face the other end of said shaft having a shape attached (figure 4); said shape

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being able to be manually positioned such that when said shaft is set in a typical hour hand position, the correct hour numeral is within the boundaries of said shape (numeral "6" is within the boundaries of the hour hand shape); c) a minute hand (14 figure 5) having a shaft with two opposite ends; one end of said shaft being able to be manually positioned and substantially centrally on the analog clock face (figure 5); the other end of said shaft having a shape attached (figure 5); said shape being able to be manually positioned such that when said shaft is set in a typical minute hand position, the correct minute numeral is within the boundaries of said shape (numeral "60" is within the boundaries of the minute hand shape, figure 1.)

7. With respect to claim 7 Brown discloses the device of claim 6 wherein said hour hand has a transparent closed-shaped tip (16 figure 5.)

8. With respect to claim 8 Brown discloses the device of claim 6 wherein said minute hand has a transparent closed-shaped tip (14 figure 5.)

9. With respect to claim 11 Brown discloses a device for teaching the reading of an analog timepiece comprising, a) an analog clock face (12 figure 1) having a numerical scale circumferentially and concentrically disposed thereon in spaced relationship to represent hours corresponding to the face of an analog clock (numerals "1-12" figure 1); b) an hour hand (16 figure 5) having a shaft with two opposite ends; one end of said shaft being positioned substantially centrally disposed proximate to the analog clock

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face the other end of said shaft having a shape attached (figure 1); said shape being positioned such that when said shaft is set in a typical hour hand position, the correct hour numeral is within the boundaries of said shape (numeral "6" is within the boundaries of the hour hand shape, figure 1.)

10. With respect to claim 12 Brown discloses the device of claim 11 wherein said hour hand has a transparent closed-shaped tip (16 figure 5.)

11. With respect to claim 13 Brown discloses the device of claim 11 wherein said hour hand has a transparent closed-shaped tip (16 figure 5.)

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 4-5 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (US 20050254351) in view of Spooner (US Des 171958.)

14. With respect to claim 4 Brown discloses the device of claim 1, wherein said hour hand has a transparent tip.

Brown does not disclose wherein said tip is open-shaped.

Spooner teaches an opened shaped hand tip.

At the time of the invention it would have been obvious to one skilled in the art to combine Spooner's open shaped tip with Brown's invention

The suggestion or motivation for doing so would be to add novelty and attractiveness to the clock.

15. With respect to claim 5 Brown discloses the device of claim 1 wherein said minute hand has a transparent tip.

Brown does not disclose wherein said tip is open-shaped.

Spooner teaches an opened shaped hand tip.

At the time of the invention it would have been obvious to one skilled in the art to combine Spooner's open shaped tip with Brown's invention

The suggestion or motivation for doing so would be to add novelty and attractiveness to the clock.

16. With respect to claim 9 Brown discloses the device of claim 6 wherein said hour hand has a transparent tip.

Brown does not disclose wherein said tip is open-shaped.

Spooner teaches an opened shaped hand tip.

At the time of the invention it would have been obvious to one skilled in the art to combine Spooner's open shaped tip with Brown's invention

The suggestion or motivation for doing so would be to add novelty and attractiveness to the clock.



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17. With respect to claim 10 Brown discloses the device of claim 6 wherein said minute hand has a transparent tip.

Brown does not disclose wherein said tip is open-shaped.

Spooner teaches an opened shaped hand tip.

At the time of the invention it would have been obvious to one skilled in the art to combine Spooner's open shaped tip with Brown's invention

The suggestion or motivation for doing so would be to add novelty and attractiveness to the clock.

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

19. Fewell US 1851824, teaches a single watch hand that encloses the appropriate numerals to show both the hour and the minute.

20. Morgan US 3142148, teaches a wide transparent hour hand similar to applicant's.

21. Burg US 3358437, teaches a time zone watch that completely closes in the hour numeral with a circular indicator shape.

22. Harris US 5134596, teaches enclosing the hour numeral for the purpose of indication.

23. Dietz US 328122, teaches circular transparent hour minute and second hand pointer shapes.

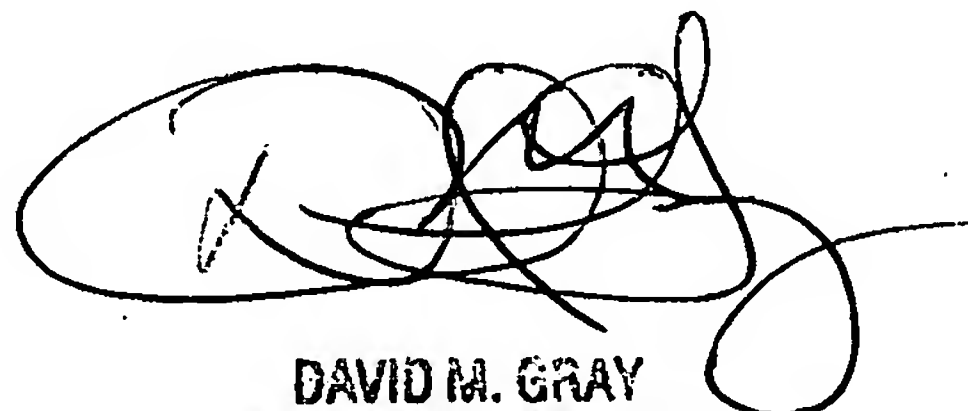


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK  
5/12/2006



DAVID M. GRAY  
PRIMARY EXAMINER